

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA

UNITED STATES OF AMERICA

v.

NICHOLAS JAMES MORGAN-
DEROSIER, a/k/a NICHOLAS
JAMES MORGAN DEROSIER,
a/k/a NICHOLAS MORGAN
DEROSIER, a/k/a NICK JAMES
MORGAN-DEROSIER

INDICTMENT

Case No. _____

Violations: 18 U.S.C. §§ 2252A(a)(1),
2252A(a)(2)(A), 2252A(a)(5)(B),
2252A(b)(1), 2252A(b)(2), 2423(a),
2423(b), and 2253(a)

COUNT ONE

Receipt and Distribution of Child Pornography

The Grand Jury Charges:

In or about July 2018 and continuing until on or about September 15, 2020, in the
District of North Dakota, and elsewhere,

NICHOLAS JAMES DEROSIER

knowingly received and distributed child pornography, as defined in Title 18, United
States Code, Section 2256(8)(A), that had been shipped and transported using any means
and facility of interstate and foreign commerce, and in and affecting interstate and foreign
commerce by any means, including by computer, to wit: a Samsung cellular phone,
Model SM-N960U, IMEI 355745091199852;

In violation of Title 18, United States Code, Sections 2252A(a)(2)(A) and
2252A(b)(1).

COUNT TWO

Transportation of Child Pornography

The Grand Jury Further Charges:

On or about August 16, 2019, in the District of North Dakota, and elsewhere,

NICHOLAS JAMES DEROSIER

knowingly transported in interstate and foreign commerce by any means, including by computer, any child pornography, as defined in Title 18, United States Code, Section 2256(8);

In violation of Title 18, United States Code, Sections 2252A(a)(1) and 2252A(b)(1).

COUNT THREE

Possession of Materials Containing Child Pornography

The Grand Jury Further Charges:

On or about September 15, 2020, in the District of North Dakota, and elsewhere,

NICHOLAS JAMES DEROSIER

knowingly possessed and accessed with intent to view, material which contained an image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that involved a prepubescent minor or a minor that had not attained 12 years of age, and which had been transported in and affecting interstate and foreign commerce by any means, and was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; specifically, NICHOLAS JAMES DEROSIER knowingly possessed electronic files on an HP Laptop, Model 17by0063ci, SN: 5CG8494KK5, which files contained one or more visual depictions of minors engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2);

In violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

COUNT FOUR

Possession of Materials Containing Child Pornography

The Grand Jury Further Charges:

On or about September 15, 2020, in the District of North Dakota, and elsewhere,

NICHOLAS JAMES DEROSIER

knowingly possessed and accessed with intent to view, material which contained an image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that involved a prepubescent minor or a minor that had not attained 12 years of age, and which had been transported in and affecting interstate and foreign commerce by any means, and was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; specifically, NICHOLAS JAMES DEROSIER knowingly possessed electronic files on a 2GB Lexar thumb drive, SN: 106A7811031153151006, which files contained one or more visual depictions of minors engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2);

In violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

COUNT FIVE

Possession of Materials Containing Child Pornography

The Grand Jury Further Charges:

On or about September 15, 2020, in the District of North Dakota, and elsewhere,

NICHOLAS JAMES DEROSIER

knowingly possessed and accessed with intent to view, material which contained an image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that involved a prepubescent minor or a minor that had not attained 12 years of age, and which had been transported in and affecting interstate and foreign commerce by any means, and was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; specifically, NICHOLAS JAMES DEROSIER knowingly possessed electronic files on a 16 GB thumb drive, SN: 0A7706178030, which files contained one or more visual depictions of minors engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2);

In violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

COUNT SIX

Possession of Materials Containing Child Pornography

The Grand Jury Further Charges:

On or about September 15, 2020, in the District of North Dakota, and elsewhere,

NICHOLAS JAMES DEROSIER

knowingly possessed and accessed with intent to view, material which contained an image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), which had been transported in and affecting interstate and foreign commerce by any means, and was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; specifically, NICHOLAS JAMES DEROSIER knowingly possessed electronic files on a Dell Inspiron 3656 D198M desktop computer, SN: 8W50X52, which files contained one or more visual depictions of minors engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2);

In violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

COUNT SEVEN

Possession of Materials Containing Child Pornography

The Grand Jury Further Charges:

On or about September 15, 2020, in the District of North Dakota, and elsewhere,

NICHOLAS JAMES DEROSIER

knowingly possessed and accessed with intent to view, material which contained an image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), that involved a prepubescent minor or a minor that had not attained 12 years of age, and which had been transported in and affecting interstate and foreign commerce by any means, and was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; specifically, NICHOLAS JAMES DEROSIER knowingly possessed electronic files on a Seagate 2TB external hard drive, SN: 00000000NAB540HK, which files contained one or more visual depictions of minors engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2);

In violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

COUNT EIGHT

Possession of Materials Containing Child Pornography

The Grand Jury Further Charges:

On or about September 15, 2020, in the District of North Dakota, and elsewhere,

NICHOLAS JAMES DEROSIER

knowingly possessed and accessed with intent to view, material which contained an image of child pornography, as defined in Title 18, United States Code, Section 2256(8)(A), which had been transported in and affecting interstate and foreign commerce by any means, and was produced using materials that had been mailed, shipped, and transported in and affecting interstate and foreign commerce by any means, including by computer; specifically, NICHOLAS JAMES DEROSIER knowingly possessed electronic files on a Samsung HDD 500 GB, SN: S2RSJ9BBA28470, which files contained one or more visual depictions of minors engaging in sexually explicit conduct, as defined in Title 18, United States Code, Section 2256(2);

In violation of Title 18, United States Code, Sections 2252A(a)(5)(B) and 2252A(b)(2).

COUNT NINE

Transportation of a Minor

The Grand Jury Further Charges:

Between in or about February 2020 and April 2020, in the District of North Dakota, and elsewhere,

NICHOLAS JAMES DEROSIER

knowingly transported, and caused to be transported, Minor Victim 1 (a/k/a “C.M.”), who had not attained the age of 18 years, and Minor Victim 2 (a/k/a “H.M.”), who had not attained the age of 18 years, from the state of Minnesota to the state of North Dakota, with the intent that such individuals engage in sexual activity for which a person can be charged with a criminal offense under North Dakota Century Code 12.1-20-03(2)(a);

In violation of Title 18, United States Code, Section 2423(a).

COUNT TEN

Travel with Intent to Engage in Illicit Sexual Activity

The Grand Jury Further Charges:

Between in or about February 2020 and April 2020, in the District of North Dakota, and elsewhere,

NICHOLAS JAMES DEROSIER

traveled in interstate commerce for the purpose of engaging in any illicit sexual conduct, as defined in Title 18, United States Code, Section 2423(f), with another person;

In violation of Title 18, United States Code, Section 2423(b).

FORFEITURE ALLEGATION

The Grand Jury Further Finds Probable Cause That:

Upon conviction of violating Title 18, United States Code, Section 2252A, as charged in this Indictment,

NICHOLAS JAMES DEROSIER

shall forfeit to the United States any and all matter which contains visual depictions, produced, transported, mailed, shipped, and received in violation thereof and any and all property used and intended to be used in any manner and part to commit and to promote the commission of such violation, but not limited to, the following:

- Samsung cellular phone, Model SM-N960U, IMEI 355745091199852;
- HP Laptop, Model 17by0063ci, SN: 5CG8494KK5;
- 2GB Lexar thumb drive, SN: 106A7811031153151006;
- 16 GB thumb drive, SN: 0A7706178030;
- Dell Inspiron 3656 D198M desktop computer, SN: 8W50X52;
- Seagate 2TB external hard drive, SN: 00000000NAB540HK; and
- Samsung HDD 500 GB, SN: S2RSJ9BBA28470.

By virtue of the commission of one or more of the felony offenses as charged in this Indictment by defendant, all right, title, and interest in the above-described

property is vested in the United States and is hereby forfeited to the United States,
pursuant to Title 18, United States Code, Section 2253(a).

A TRUE BILL:

/s/ Foreperson

Foreperson

/s/ Nicholas W. Chase
NICHOLAS W. CHASE
United States Attorney

JKP/ljc